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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/631,119

07/31/2003

Robert J. Mauceri JR.

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04/03/2008

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EXAMINER

LUDWIG, MATTHEW J

ART UNIT

PAPER NUMBER

2178

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04/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/631,119	Applicant(s) MAUCERI ET AL.	
	Examiner MATTHEW J. LUDWIG	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-29, 33, 35 and 36 is/are rejected.
- 7) ☒ Claim(s) 30-32, 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment received 1/11/2008.
2. Claims 23-36 are pending in the application. Claims 23, 35, and 36 are independent claims.
3. Claims 23-30, 35, and 36 rejected under 35 U.S.C. 103(a) as being unpatentable over Hayton have been withdrawn pursuant to applicant's amendment.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 23-29, 33, 35, and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Boye et al., USPN 7,278,098 filed (4/9/1997).**

In reference to independent claim 23, Boye teaches:

‘displaying a decorative panel by displaying cells of a software table where cells of the software table spatially correspond to spatial regions of the decorative panel, and wherein displaying a software table is performed such that cells of the software table are displayed as a single unit forming at least a portion of the decorative panel, by displaying cells with at least one of attributes specified for a cell, or images in cells displayed to form a single unit’

The reference to Boye provides a page editor who creates a page layout (decorative panel) through the use of a page draw editor and adds text graphics. Grids are used with the cells

to spatially correspond to the cells to spatial regions within the page layout. See column 5, lines 13-67. Furthermore, the reference discloses images found within the primary layout. See column 7, lines 45-67.

‘receiving user input specifying a change in the appearance of the decorative panel’

When a user presses and holds down a “View Table” button, editor performs a “split” procedure. See column 8, lines 1-15.

‘mapping changes in the appearance of the decorative panel to cells in the software table’

The split procedure determines the location of the rows of the page and displays one or more horizontal row dividers, between the rows. The split procedure generates a “split tree” data structure which is then used to generate and display row or column dividers. See column 8, lines 1-34.

‘automatically revising at least one of attributes of cells or images in cells, without a user needing to manipulate individual cells, to corresponding to the changes in the appearance of the decorative panel’

Images found in the layout are revised according the split procedure into rows or columns. If the user specified that the layout of the page is by rows, the HTML generated for the page preserves the rows in the design. See column 8 and column 9, lines 1-67.

In reference to dependent claim 24, Boye teaches:

Determining whether a web page is primary laid out by rows or by columns through a user interface. See column 7, lines 50-67 and figure 6a.

In reference to dependent claim 25, Boye teaches:

A properties window has a “layout” tab selected. The layout properties include a checkbox labeled “Layout by columnar”. When the selects a “view table” button, editor performs a “split” procedure. See column 7, lines 60-67 and column 8, lines 1-10.

In reference to dependent claim 26, Boye teaches:

The split function arranges layout elements and cell based upon a user selection and therefore relocates a region of the layout table. See column 10, lines 50-67.

In reference to dependent claim 27, Boye teaches:

The method steps recursively through the split tree, generating HTML for the draw objects associated with the leaf nodes of the split tree. See column 12, lines 1-29.

In reference to dependent claim 28 and 29, Boye teaches:

Whenever an internal node that corresponds to an area split into columns is encountered, HTML is generated to surround the HTML generated for the splits of that area. See column 12, lines 1-45.

In reference to dependent claim 33, Boye teaches:

The outcome of the split procedure is a “split tree” reflecting how the elements of the page are split into rows or columns. An example of a node in the split tree is shown in figure 13c. See column 9, lines 30-45.

In reference to claims 35 and 36, the claims recite similar limitations to those found in independent claim 23. Therefore, the claims are rejected under similar rationale.

Allowable Subject Matter

6. Claims 30, 31, and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 23-36 have been considered but are moot in view of the new ground(s) of rejection.

Applicant amended the independent claims and thus changed the scope of the invention when the claims are read as a whole. More specifically, the independent claims state 'images displayed in cells' 'spatially correspond to spatial regions of the decorative panel, and wherein displaying a software table is performed'. The changes made to claims resulted in the withdrawal of the 35 U.S.C. 103(a) rejection under Hayton. A newly formed rejection under 35 U.S.C. 102(b) has replace the rejection under Hayton.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. LUDWIG whose telephone number is (571)272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit
2178

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